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VIA ECF

The Honorable Lillian Bloom
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Patricia Ranta, et. al. v. City of New York, et. al., 14 Civ. 3794 (FB)(LB)

Your Honor:

I am a Senior Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, representing defendants City of New York and Stephen Chmil in the above referenced matter. I write to move to compel plaintiffs to provide the unsealing release in the form annexed hereto as Exhibit A, (assuming David Ranta will be executing a C.P.L. §160.50 release), the standard City unsealing release, instead of the form annexed hereto as Exhibit B, which they have provided.

Plaintiffs fail to understand the purpose of such an unsealing release. As the Court ruled at the initial conference in this matter, plaintiffs were to provide the standard form release, which Exhibit A is. Your Honor also ruled that plaintiffs cannot do anything they want with the Kings County DA's files. The form annexed hereto as Exhibit A, along with an appropriate unsealing order, is necessary for the Kings County DA to unseal its own files, which is the purpose of an unsealing order in this instance. The documents in the Kings County District Attorney's Office have to be unsealed, and plaintiffs' proposed unsealing release designates plaintiffs' counsel for the documents which are in the custody and possession of the Kings County District Attorney's Office. Plaintiffs' proposed release is improper, as well as plaintiffs' counsel's assertion in counsel's "meet and confer" of this morning that pursuant to the release they provided, the Kings County DA's Office should be required to provide directly to them all

files in their possession concerning David Ranta's prosecution, whether privileged or not,¹ who would then forward it to all parties in the case. The form of unsealing order proposed by defendants as Exhibit B should also allow unsealing for any City documents in the case beyond those of the Kings County DA's Office, which plaintiffs' proposed release does not accomplish.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman
Mark D. Zuckerman
Senior Counsel

cc: All Counsel (via ECF)

¹ If the Court intends to rule on any privilege issue at this juncture, when the Kings County DA hasn't been able to review its files due to the lack of a proper unsealing release and unsealing order, defendants respectfully request that the Kings County DA's Office be allowed to be heard on this issue.